directly in authorized and non-authorized States, including the issuance of full or partial HSWA permits, until EPA grants the State authorization to do so. States must still, at one point, adopt HSWA-related provisions as State law to retain final authorization. In the interim, the HSWA provisions apply in authorized States.

As a result of the HSWA, there is a dual State/Federal regulatory program in Illinois. To the extent HSWA does not affect the authorized State program, the State program will operate in lieu of the Federal program. To the extent HSWA-related requirements are in effect, EPA will administer and enforce those HSWA requirements in Illinois until the State is authorized for them. Among other things, this will entail the issuance of Federal RCRA permits for those HSWA requirements for which the State is not yet authorized, in addition to the State permits. Any State requirement that EPA has reviewed, approved, and determined to be more stringent than HSWA provisions also remain in effect; thus the universe of the more stringent provisions in HSWA and the approved State program defines the applicable subtitle C requirements in Illinois.

Once EPA authorizes Illinois to carry out a HSWA requirement or prohibition, the State program in that area will operate in lieu of the Federal provision or prohibition. Until that time, the State may assist EPA's implementation of the HSWA under a Cooperative Agreement.

Today's rulemaking includes authorization of Illinois' program for several requirements implementing the HSWA. Those requirements implementing the HSWA are specified in the "Illinois" section of this notice. Any effective State requirement that is more stringent or broader in scope than a Federal HSWA provision will continue to remain in effect; thus, regulated handlers must comply with any more stringent State requirements.

EPA published a FR notice that explains in detail the HSWA and its affect on authorized States (50 FR 28702–28755, July 15, 1985).

D. Decision

I conclude that Illinois' program revision application meets all the statutory and regulatory requirements established by RCRA and its amendments. Accordingly, EPA grants Illinois final authorization to operate its hazardous waste program as revised. Illinois now has responsibility for permitting treatment, storage, and disposal facilities within its borders and carrying out other aspects of the RCRA program and its amendments. This responsibility is subject to the limitations of its program revision applications and previously approved authorities. Illinois also has primary enforcement responsibilities, although EPA retains the right to conduct inspections under section 3007 of RCRA, and to take enforcement actions under sections 3008, 3013, and 7003 of RCRA.

E. Codification

EPA codifies authorized State programs in part 272 of 40 CFR. The purpose of codification is to provide notice to the public of the scope of the authorized program in each State. Codification of the Illinois program will be completed at a later date.

Compliance with Executive Order 12291: The Office of Management and Budget has exempted this rule from the requirements of section 3 of Executive Order 12291.

Certification Under the Regulatory Flexibility Act: Pursuant to the provisions of 5 U.S.C. 605(b), I hereby certify that this authorization will not have a significant economic impact on a substantial number of small entities. This authorization effectively suspends the applicability of certain Federal regulations in favor of Illinois' program thereby eliminating duplicative requirements for handlers of hazardous waste in the State. It does not impose any new burdens on small entities. This rule, therefore, does not require a regulatory flexibility analysis.

Paperwork Reduction Act: Under the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, Federal agencies must consider the paperwork burden imposed by any information request contained in a proposed rule or a final rule. This rule will not impose any information requirements upon the regulated community.

List of Subjects in 40 CFR Part 271

Administrative practice and procedure, Confidential business information, Hazardous materials transportation, Hazardous waste, Indian lands, Intergovernmental relations, Penalties, Reporting and recordkeeping requirements, Water pollution control, Water supply.

Authority: This notice is issued under the authority of sections 2002(a), 3006, and 7004(b) of the Solid Waste Disposal Act as amended (42 U.S.C. 6912(a), 6926 and 6974(b)).

Dated: January 26, 1990.

Frank M. Covington,

Acting Regional Administrator.

[FR Doc. 90–4681 Filed 2–28–90; 8:45 am]

BILLING CODE 6560–50–M

40 CFR Part 799

[OPTS–40019; FRL 3668–4]

Technical Amendments to Test Rules and Consent Orders

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule.

SUMMARY: Pursuant to 40 CFR 790.55 and 790.68, EPA has approved by letter certain modifications to test standards and schedules for chemical testing programs under section 4 of the Toxic Substances Control Act (TSCA). These modifications, requested by test sponsors, will be incorporated and codified in the respective test regulation or consent order. Because these modifications do not significantly alter the scope of a test or significantly change the schedule for its completion, EPA approved these requests without seeking notice and comment. EPA will annually publish a notice describing all of the modifications granted by letter for the previous year. This is the second such annual notice.

EFFECTIVE DATE: This rule is effective on March 1, 1990.

FOR FURTHER INFORMATION CONTACT: Michael M. Stahl, Director, Environmental Assistance Office (TS–799), Office of Toxic Substances, Rm. E–543B, 401 M St., SW., Washington, DC 20460, (202) 554–1404, TDD (202) 554–0551.

SUPPLEMENTARY INFORMATION: EPA issued an interim final rule published in the **Federal Register** of September 1, 1989 (54 FR 36311), amending procedures for modifying test standards and schedules for test rules and testing consent orders under section 4 of TSCA. The amended procedures allow EPA to approve requested modifications which do not alter the scope of a test or significantly change the schedule for its completion. These modifications are approved by letter without public comment. The rule also requires immediate placement of these letters in EPA's public files and publication of these modifications in the **Federal Register.** This document includes modifications approved from October 1, 1988, through September 30, 1989. For a detailed description of the rationale for these modifications, refer to the submitters' letters and EPA's responses in the public record for this rulemaking.

I. Discussion of Modifications

Each chemical discussed in this rule is identified by a specific CAS number and docket number. Copies of

correspondence relating to specific chemical modifications may be found in docket number (OPTS–40019) or the chemical-specific docket established for this rule. The following table lists all chemical-specific modifications approved from October 1, 1988, through September 30, 1989.

MODIFICATIONS TO TEST STANDARDS AND CONSENT ORDERS OCTOBER 1, 1988 THROUGH SEPTEMBER 30, 1989

Chemical/CAS No.	Chemical FR Cite	Test	Modifications	Docket No. (OPTS)
Final Rule Chemicals:				
Anthraquinone (84–65–1)	799.500	Oyster Bioconcentration	5	40019/42076C
		Bluegill Acute Toxicity	1,5	
		Daphnia Acute Toxicity	5	
		Oyster Acute Toxicity	5	
Biphenyl (92–52–4)	799.925	Oyster Shell Deposition	5	40019/42031E
Bis(2-chloroethoxy) methane (111–91–1)	799.5055	Rat Subchronic Toxicity	1,4,5	40019/42086G
Commercial Hexane (110–54–3; 96–37–7)	799.2155	In Vitro Cytogenetics	2,5	40019/42064I
		Mammalian Cells in Culture	2	
Cumene (98–82–8)	799.1285	Environmental Effects	5	40019/42074B
		Aerobic Biodegradation	5	
		Trout Acute Toxicity	3	
Dibromomethane (74–95–3)	799.5056	Hydrolysis	5	40019/42088G
1,2-Dichlorobenzene (95–50–1)	799.5055	Hydrolysis	5	40019/42088G
1,2-Dichloropropane (78–87–5)	799.1550	Mysid Chronic Toxicity	5	40019/42043E
		Reproductive Toxicity	1	
1,3-Dichloropropanol (94–58–6)	799.5055	Soil Absorption	5,7	40019/42088G
		Rat Subchronic Toxicity	5	
Diethylene glycol butyl ether (112–34–5)	799.1560	Neurotoxicity	5	40019/42065E
Diethylenetriamine (111–40–0)	799.1575	Chemical Fate	1,2,3,5	40019/42012H
		Dermal Absorption	5	
Dihydrosafrole (94–58–6)	799.5065	Hydrolysis	5	40019/42088G
Ethyl methacrylate (97–63–2)	799.5055	Hydrolysis	5	40019/42088G
Malononitrile (109–77–3)	799.5055	Rat Subchronic Toxicity	5	40019/42088G
2-Mercaptobenzothiazole (149–30–4)	799.2475	All Required Tests	2	40019/42073B
		Trout Chronic Toxicity	3,6,7	
		Neurotoxicity	5	
Methanethiol (74–93–1)	799.5055	Soil Sorption	5	40019/42088G
Methyl chloride (75–87–3)	799.5055	Hydrolysis	5	40019/42088G
1,2,4,5-Tetrachlorobenzene (95–94–3)	799.5055	Hydrolysis	5	40019/42088G
1,2,3-Trichlorobenzene (108–90–7)	799.1053	Gammarus Acute Toxicity	5	40019/42050E
Consent Order Chemicals:				
3,4-Dichlorobenzotrifluoride (328–84–7)	799.5000	Acute Gammarid Toxicity	5	40019/42089B
Diisodecyl phenyl phosphite (25550–98–5)	799.5000	Neurotoxicity	2	40019/42101B
Methyl tertiary butyl ether (1634–04–4)	799.5000	Pharmacokinetics	1,3	40019/42096C

Modifications:
[1] Modify sampling schedule
[2] Change in test substance (form/purity)
[3] Change in non-critical test procedure or condition
[4] Add satellite group for further testing
[5] Extend test deadline by six months or less
[6] Add specific guideline requirement
[7] Alternate specific guideline requirement approved for certain test(s).

II. Public Record

EPA has established a public record for this rulemaking (docket number OPTS–40019). The record includes the information considered by EPA in evaluating the requested modifications.

The record is available for inspection from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays, in Rm. G–004, NE Mall, 401 M St., SW., Washington, DC 20460.

III. Other Regulatory Requirements

A. Executive Order 12291

Under Executive Order 12291, EPA must judge whether a rule is "major" and therefore subject to the requirement of a Regulatory Impact Analysis. This rule, listing modifications of test standards and schedules for tests required under test rules and testing consent agreements under the authority of section 4 of TSCA, is not major because it does not meet any of the criteria set forth in section 1(b) of the Order.

This rule was submitted to the Office of Management and Budget (OMB) for review as required by Executive Order 12291. Any written comments from OMB to EPA, and any EPA response to those comments, are included in the rulemaking record.

B. Regulatory Flexibility Act

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq., Pub. L. 96–354, September 19, 1980), EPA is certifying that this rule will not have a significant impact on a substantial number of small businesses because the modifications listed in this rule have been made to expedite the development of test data and to reduce certain paperwork burdens associated with current regulations.

C. Paperwork Reduction Act

The information collection requirements associated with this rule have been approved by OMB under the provisions of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq. and have been assigned OMB control number 2070–0033.

EPA has determined that this rule does not change existing recordkeeping or reporting requirements nor does it impose any additional recordkeeping or reporting requirements on the public.

Send comments regarding this rule to Chief, Information Policy Branch, PM–223, U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of

Management and Budget, Washington, DC 20503.

List of Subjects in 40 CFR Part 799

Chemicals, Chemical export, Environmental protection, Hazardous substances, Recordkeeping and reporting requirements, Testing.

Dated: February 17, 1990.

Linda J. Fisher,

Assistant Administrator for Pesticides and Toxic Substances.

Therefore, 40 CFR part 799 is amended as follows:

PART 799—[AMENDED]

1. The authority citation for part 799 continues to read as follows:

Authority: 15 U.S.C. 2603, 2611, 2625.

2. In § 799.500, by redesignating paragraph (d), "Effective date", as paragraph (e), and by revising paragraphs (c)(2)(i)(A), (c)(2)(ii)(A), (c)(3)(ii)(A), (c)(5)(ii)(A), and newly designated paragraph (e), and by adding paragraph (c)(2)(i)(B)(*4*) to read as follows:

§ 799.500 Anthraquinone.

* * * * *

(c) * * *

(2) * * *

(i) * * *

(A) Fish acute toxicity tests shall be conducted with Anthraquinone using chinook salmon, *Oncorhynchus tshawytscha*, or coho salmon, *Oncorhynchus kisutch* (cold water species); bluegill, *Lepomis macrochirus* (warm water species); and rainbow trout, *Salmo gairdneri* (cold water species) in accordance with the test guideline specified under § 797.1400 of this chapter, except for paragraphs (c)(4)(i) and (6)(iii)(A)(*2*) of § 797.1400.

* * * * *

(B) * * *

(*4*) In each chamber at 4, 7, and 14 days. If no dose-dependent mortality is observed by days 7 and 14, the concentration of dissolved test substance shall be measured in the chambers with the two highest concentrations only.

* * * * *

(ii) * * *

(A) The fish acute toxicity tests for chinook salmon, *Oncorhynchus tshawytscha*, or coho salmon, *Oncorhynchus kisutch*, and rainbow trout, *Salmo gairdneri*, shall be completed and the final results submitted to EPA within 12 months of the effective date of the final rule. The fish acute toxicity test for bluegill, *Lepomis macrochirus*, shall be completed and the final results submitted to EPA within 14 months of the effective date of the final rule.

* * * * *

(3) * * *

(ii) * * *

(A) The invertebrate acute toxicity tests shall be completed and the final results submitted to EPA within 14 months of the effective date of the final rule.

* * * * *

(5) * * *

(ii) * * *

(A) The bioconcentration test shall be completed and the final results submitted to EPA within 21 months of the effective date of the final rule.

* * * * *

(e) *Effective date.* (1) The effective date of this final rule is July 20, 1987, except for paragraphs (c)(2)(i)(A), (c)(2)(i)(B)(*4*), (c)(2)(ii)(A), (c)(3)(ii)(A), and (c)(5)(ii)(A) of this secton. The effective date for paragraphs (c)(2)(i)(A), (c)(2)(i)(B)(*4*), (c)(2)(ii)(A), (c)(3)(ii)(A), and (c)(5)(ii)(A) of this section is March 1, 1990.

(2) The guidelines and other test methods cited in this rule are referenced as they exist on the effective date of the final rule.

* * * * *

3. In § 799.925, by revising paragraphs (c)(3)(iii) and (e) to read as follows:

§ 799.925 Biphenyl.

* * * * *

(c) * * *

(3) * * *

(iii) *Reporting requirements.* The oyster shell deposition and range-finding study with biphenyl shall be completed and a final report submitted to EPA within 515 days from the effective date of the final Phase II rule. Progress reports shall be submitted at 6-month intervals beginning 6 months after the effective date of the final Phase II rule.

* * * * *

(e) *Effective date.* (1) The effective date of this final Phase II rule for biphenyl is July 17, 1987, except for paragraph (c)(3)(iii) of this section. The effective date for paragraph (c)(3)(iii) of this section is March 1, 1990.

(2) The guidelines and other test methods cited in this rule are referenced as they exist on the effective date of the final rule.

* * * * *

4. In § 799.5055, by revising paragraphs (d)(1)(i), (d)(1)(ii), (d)(2)(ii), (e)(1)(i), (e)(1)(ii)(A), and (f), to read as follows:

§ 799.5055 Hazardous waste constituents subject to testing.

* * * * *

(d) * * *

(1) * * *

(i) *Required testing.* A soil adsorption isotherm test shall be conducted with the substances designated in paragraph (c) of this section in accordance with § 796.2750 of this chapter except that the provisions of § 796.2750 (b)(1)(vii)(A) shall not apply to 1,3-Dichloropropanol.

(ii) *Reporting requirements.* The sediment and soil adsorption isotherm tests shall be completed and the final results submitted to EPA within 9 months of the effective date of the final rule except that final results for testing of 1,3-Dichloropropanol and Methanethiol shall be completed and submitted to EPA within 11 months and 15 months, respectively, of the effective date of the final rule.

* * * * *

(2) * * *

(ii) *Reporting requirements.* The hydrolysis tests with the substances designated in paragraph (c) of this section shall be completed and the final results submitted to EPA within 6 months of the effective date of the final rule except that hydrolysis tests for Dibromomethane, Dihydrosafrole, Ethyl methacrylate, and Methyl chloride shall be completed and the final results submitted to EPA within 12 months of the effective date of the final rule; and hydrolysis tests for 1,2-Dichlorobenzene and 1,2,4,5-Tetrachlorobenzene shall be completed and final results submitted to EPA within 9 months of the effective date of the final rule.

(e) * * *

(1) * * *

(i) *Required test.* (A) An oral gavage subchronic toxicity test shall be conducted in the rat with the substances designated in paragraph (c) of this section except for Bis(2-chloroethoxy)methane (CAS No. 108-60-1), in accordance with § 798.2650 of this chapter.

(B) For Bis(2-chloroethoxy)methane, an oral gavage subchronic toxicity test shall be conducted in the rat in accordance with § 798.2650 of this chapter except for the provisions in paragraphs (e)(9)(i)(A) and (e)(9)(i)(B). For Bis(2-chloroethoxy)methane, the following provisions also apply:

(*1*) Hematology determinations shall be carried out at least two times during the test period: Just after dosing on day 30 and just prior to terminal sacrifice. Hematology determinations which are appropriate to all studies are: Hematocrit, hemoglobin concentration, erythrocyte count, total and differential

leukocyte count, and a measure of clotting potential such as clotting time, prothrombin time, thromboplastin time, or platelet count.

(2) Certain clinical biochemistry determinations on blood shall be carried out at least two times: Just after dosing on day 30 and just prior to terminal sacrifice. Test areas which are considered appropriate to all studies are: Electrolyte balance, carbohydrate metabolism, and liver and kidney function. The selection of specific tests will be influenced by observations on the mode of action of the substance. Suggested determinations are: Calcium, phosphorus, chloride, sodium, potassium, fasting glucose (with the period of fasting appropriate to the species), serum glutamic oxaloacetic transaminase (now known as serum aspartate aminotransferase), ornithine decarboxylase, gamma glutamyl transpeptidase, urea nitrogen, albumen blood creatinine, total bilirubin and total serum protein measurements. Other determinations which may be necessary for an adequate toxicological evaluation include: Analysis of lipids, hormones, acid/base balance, methemoglobin, and cholinesterase activity. Additional clinical biochemistry may be employed, where necessary, to extend the investigation of observed effects.

(ii) * * *

(A) The oral gavage subchronic tests with the substances designated in paragraph (c) of this section shall be completed and submitted to EPA within 12 months of the effective date of the final rule except that the tests with Bis(2-chloroethoxy)methane, 1,3-Dichloropropanol, and Malononitrile shall be completed and the results submitted to EPA within 15 months of the effective date of the final rule.

* * * * *

(f) *Effective date.* (1) The effective date of the final rule is July 29, 1988, except for paragraphs (d)(1)(i), (d)(1)(ii), (d)(2)(ii), (e)(1)(i), and (e)(1)(ii)(A) of this section. The effective date for paragraphs (d)(1)(i), (d)(1)(ii), (d)(2)(ii), (e)(1)(i), and (e)(1)(ii)(A) of this section is March 1, 1990.

(2) The guidelines and other test methods cited here are referenced as they exist on the effective date of the final rule.

* * * * *

5. In § 799.2155, by revising paragraphs (c)(5)(i)(B)(*2*)(*i*), (c)(6)(i)(A)(*2*)(*i*), (c)(6)(i)(D)(*2*)(*iii*)(*A*)(*1*), and (d) to read as follows:

§ 799.2155 Commercial hexane.

* * * * *

(c) * * *

(5) * * *

(i) * * *

(B) * * *

(*2*) * * *

(*i*) *Cell growth and maintenance.* Appropriate culture media and incubation conditions (culture vessels, CO_2 concentrations, temperature, and humidity) shall be used. The cell culture shall be directly dosed by pipetting liquid commercial hexane mixed with liquid DMSO into the culture medium. Cells shall be exposed to test substance both in the presence and absence of an appropriate metabolic activation system.

* * * * *

(6) * * *

(i) * * *

(A) * * *

(*2*) * * *

(*i*) *Treatment with test substance.* The test substance shall be added in liquid form mixed with DMSO to the treatment vessels.

* * * * *

(D) * * *

(*2*) * * *

(*iii*) * * *

(*A*) * * *

(*1*) The in vitro cytogenetics test within 15 months of the effective date of the final rule.

* * * * *

(d) *Effective date.* (1) The effective date of the final rule for commercial hexane is March 21, 1988, except for paragraphs (c)(5)(i)(B)(*2*)(*i*), (c)(6)(i)(A)(*2*)(*i*), and (c)(6)(i)(D)(*2*)(*iii*)(*A*)(*1*) of this section. The effective date for paragraphs (c)(5)(i)(B)(*2*)(*i*), (c)(6)(i)(A)(*2*)(*i*), and (c)(6)(i)(D)(*2*)(*iii*)(*A*)(*1*) of this section is March 1, 1990.

(2) The guidelines and other test methods cited here are referenced as they exist on the effective date of the final rule.

* * * * *

6. In § 799.1285, by revising paragraphs (d)(1)(i), (d)(1)(ii)(A), (e)(1)(ii)(A), and (g), to read as follows:

§ 799.1285 Cumene.

* * * * *

(d) * * *

(1) * * *

(i) *Required testing.* (A) Saltwater and freshwater invertebrate and vertebrate tests, in a flow-through system, shall be conducted with cumene on the following organisms: *Daphnia magna*, to be conducted in accordance with § 797.1300 of this chapter; *Mysidopsis bahia* to be conducted in accordance with § 797.1930 of this chapter, and *Salmo gairdneri* and *Cyprinodon variegatus* to be conducted in accordance with § 797.1400 of this chapter except for the provisions in paragraph (d)(3)(iii) of § 797.1400. The total and dissolved (e.g. filtered) concentrations of the test substance shall be measured in each test chamber and delivery chamber before the test and in each test chamber at 0, 24, and 48 hours (*Daphnia magna*) and 0, 48, and 96 hours (*Mysidopsis bahia*, *Salmo gairdneri*, and *Cyprinodon variegatus*) to ascertain whether it is in solution.

(B)(*1*) For the purpose of this section, the following provisions also apply:

(*2*) *Temperature.* The test temperature shall be 12° C for rainbow trout. Excursions from the test temperature shall be no greater than † 2° C. The temperature shall be measured at least hourly in one test chamber.

(ii) * * *

(A) The acute toxicity tests shall be completed and the final reports submitted to EPA within 18 months of the effective date of the final rule.

* * * * *

(e) * * *

(1) * * *

(ii) *Reporting requirements.* (A) The biodegradation test in an aquatic system shall be completed and the final report submitted to EPA within 15 months of the effective date of the final rule.

* * * * *

(g) *Effective date.* (1) The effective date of this final rule for cumene is September 9, 1988, except for paragraphs (d)(1)(i) and (d)(1)(ii)(A), and (e)(1)(ii)(A) of this section. The effective date for paragraphs (d)(1)(i), (d)(1)(ii)(A), and (e)(1)(ii)(A) of this section is March 1, 1990.

(2) The guidelines and other test methods cited in this rule are referenced as they exist on the effective date of the final rule.

* * * * *

7. In § 799.1550, by revising paragraphs (c)(4)(ii), (d)(4)(iii)(A) and (e), to read as follows:

§ 799.1550 1,2-Dichloropropane.

* * * * *

(c) * * *

(4) * * *

(ii) *Test standard.* (A) The 2-generation reproductive effects testing with 1,2-Dichloropropane shall be conducted using the oral route of exposure in accordance with § 798.4700 except for the provisions in paragraphs (c)(7)(i) and (c)(7)(iii) of § 798.4700.

(B) For the purpose of this section, the following provisions also apply:

(*1*) A gross examination shall be made at least once each day. Pertinent behavioral changes, signs of difficult or prolonged parturition, and all signs of toxicity, including mortality, shall be

recorded. These observations shall be reported for each individual animal. Food and water consumption for all animals shall be monitored at least weekly except during the mating period.

(2) Each litter should be examined as soon as possible after delivery for the number of pups, stillbirths, live births, sex, and the presence of gross anomalies. Live pups should be counted and litters weighed at birth or soon thereafter, and at least weekly after parturition.

* * * * *

(d) * * *

(4) * * *

(iii) *Reporting requirements.* (A) The mysid chronic toxicity test shall be completed and the final report submitted to EPA within 15 months of the effective date of the final Phase II rule.

* * * * *

(e) *Effective date.* (1) The effective date of the final Phase II rule and the final single-phase pharmacokinetics rule for 1,2-Dichloropropane is November 18, 1987, except for paragraphs (c)(4)(ii), and (d)(4)(iii)(A) of this section. The effective date for paragraphs (c)(4)(ii), and (d)(4)(iii)(A) of this section is March 1, 1990.

(2) The guidelines and other test methods cited in this rule are referenced as they exist on the effective date of the final rule.

* * * * *

8. In § 799.1560, by revising paragraphs (c)(2)(ii)(A) and (e) to read as follows:

§ 799.1560 Diethylene glycol butyl ether and diethylene glycol butyl ether acetate.

* * * * *

(c) * * *

(2) * * *

(ii) *Reporting requirements.* (A) The neurotoxicity/behavioral tests required under paragraph (c)(2) of this section shall be completed and the final reports submitted to EPA within 17 months of the effective date of the final rule.

* * * * *

(e) *Effective date.* (1) The effective date of the final rule is April 11, 1988, except for paragraph (c)(2)(ii)(A) of this section. The effective date for paragraph (c)(2)(ii)(A) of this section is March 1, 1990. The effective date for paragraphs (c)(4)(ii)(A) and (c)(4)(ii)(B) of this section is November 27, 1989.

(2) The guidelines and other test methods cited in this rule are referenced as they exist on the effective date of the final rule.

* * * * *

9. In § 799.1575, by revising paragraphs (c)(4)(iii), (d)(2), (d)(3), and (f) to read as follows:

§ 799.1575 Diethylenetriamine (DETA).

* * * * *

(c) * * *

(4) * * *

(iii) *Reporting requirements.* The testing shall be completed and the final report submitted to EPA within 22 months of the effective date of the final Phase II rule. Progress reports shall be submitted at 6-month intervals, the first of which is due within 6 months of the effective date of the final Phase II rule.

(d) * * *

(2) *Test standard.* The testing shall be conducted in accordance with the following revised EPA-approved modified study plan (January 16, 1989) originally submitted by the Diethylenetriamine Producers/Importers Alliance (DPIA): "Supplemented Revised Protocol (011689); Diethylenetriamine: Environmental Fate in Sewage, Lake Water and Soil". This revised EPA-modified study plan is available for inspection in EPA's OPTS Reading Room, Rm. NE-G004, 401 M St., SW., Washington, DC 20460.

(3) *Reporting requirements.* The testing shall be completed and a final report submitted to EPA within 20 months of the effective date of the final Phase II rule. Interim progress reports shall be submitted at 6-month intervals, the first of which is due within 6 months of the effective date of the final Phase II rule.

* * * * *

(f) *Effective date.* (1) The effective date of the final Phase II rule for diethylenetriamine is March 19, 1987, except for paragraphs (c)(4)(iii), (d)(2), and (d)(3) of this section. The effective date for paragraphs (c)(4)(iii), (d)(2), and (d)(3) of this section is March 1, 1990.

(2) The guidelines and other test methods cited in this rule are referenced as they exist on the effective date of the final rule.

* * * * *

10. In § 799.2475, by revising paragraph (a)(2), (d)(1)(i), (d)(2)(i)(B)(*3*), (e)(3)(ii)(A), and (f) to read as follows:

§ 799.2475 2-Mercaptobenzothiazole.

(a) * * *

(2) MBT of at least 97.6 percent purity (plus or minus 1.5 percent) shall be used as the test substance.

* * * * *

(d) * * *

(1) * * *

(i) *Required testing.* (A) Chronic toxicity testing of MBT shall be conducted using rainbow trout (*Salmo gairdneri.*) according to § 797.1600 of this chapter, except for paragraphs (c)(4)(iv)(A), (c)(4)(x)(E) and (c)(4)(x)(F), (c)(6)(iv)(A), (d)(2)(vii)(A)(*2*), and (d)(3)(iv) of § 797.1600.

(B) For the purpose of this section, the following provisions also apply:

(*1*) The first feeding for the fathead and sheepshead minnow fry shall begin shortly after transfer of the fry from the embryo cups to the test chambers. Silversides are fed the first day after hatch. Trout species initiate feeding at swim-up. The trout fry shall be fed trout starter mash or live newly-hatched brine shrimp nauplii (*Artemia salina*) three times a day *ad libitum*, with excess food siphoned off daily. The minnow fry shall be fed live newly-hatched brine shrimp nauplii (*Artemia salina*) at least three times a day.

(*2*) All physical abnormalities (e.g., stunted bodies, scoliosis, etc.) shall be photographed and preserved.

(*3*) At termination, all surviving fish shall be measured for growth. Total length measurements should be used except in cases where fin erosion occurs, then the use of standard length measurements shall be permitted. Standard length measurements should be made directly with a caliper, but may be measured photographically. Measurements shall be made to the nearest millimeter (0.1 mm is desirable). Weight measurements shall also be made for each fish alive at termination (wet, blotted dry, and to the nearest 0.01 g for the minnows and 0.1 g for the trout). If the fish exposed to the toxicant appear to be edematous compared to control fish, determination of dry, rather than wet, weight is recommended.

(*4*)(*i*) *Test substance measurement.* Prior to addition of the test substance to the dilution water, it is recommended that the test substance stock solution be analyzed to verify the concentration. After addition of the test substance, the concentration of test substance shall be measured in the test substance delivery chamber prior to beginning, and during, the test. The concentration of test substance should also be measured at the beginning of the test in each test concentration (including both replicates) and control(s), and at least once a week thereafter. Equal aliquots of test solution may be removed from each replicate chamber and pooled for analysis. If a malfunction in the delivery system is discovered, water samples shall be taken from the affected test chambers immediately and analyzed.

(*ii*) *pH.* It is recommended that a pH of 7 be maintained in the test chambers.

(*iii*) *Reporting.* An analysis of the stability of the stock solution for the duration of the test shall be reported.

(*5*) [Reserved]